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Attorneys for Defendant
United States Fire Insurance Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

COPART INC.,

Plaintiff,

vs.

CRUM & FORSTER INDEMNITY
COMPANY¹, UNITED STATES FIRE
INSURANCE COMPANY, and DOES 1-10,

Defendants.

Case No.: C 07 2684 CW (EDL)

**DECLARATION OF SAMUEL H. RUBY
(VOLUME I—DOCUMENTS)**

IN SUPPORT OF USFIC'S:

- (1) MOTION FOR SUMMARY
JUDGMENT ON PLAINTIFF'S
COMPLAINT; AND**
- (2) OPPOSITION TO PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT ON USFIC'S
COUNTERCLAIM**

Date: August 21, 2008

Time: 2:00 p.m.

Action File: March 20, 2007

Trial Date: November 10, 2008

AND RELATED COUNTERCLAIM

¹ Dismissed by Order Upon Stipulation (6/15/07)

1 I, Samuel H. Ruby, declare under penalty of perjury under the laws of the State of
2 California and of the United States that the following matters are true and correct, of my own
3 personal knowledge, and that if called as a witness I would testify:

4 1. I am an attorney with Bullivant Houser Bailey PC, attorneys of record for United
5 States Fire Insurance Company in this action. I have been the attorney principally responsible
6 for the handling of this matter.

7 2. As set forth in the Declaration of Eric K. Larson, I personally reached a
8 stipulation with him, at the first deposition in this case, that documents prepared by Copart,
9 Marsh, or US Fire and produced from their files would be deemed authentic, absent testimony to
10 the contrary by a witness or a timely comment by counsel.

11 3. Attached hereto are true and correct copies of documents (or pertinent excerpts
12 thereof) prepared by Copart, Marsh or US Fire and produced from their files. Most of the
13 documents were marked as exhibits at one or more depositions in this matter. No witness
14 testified in a manner that would call into question the authenticity of any of the documents, and
15 counsel for Copart expressed no reservations about the authenticity of any of the documents.

16 Executed this 23rd day of July, 2008 in San Francisco, California.
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19 By /s/ Samuel H. Ruby
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